

MOYNAHAN, IRVIN & SMITH, P.S.C.
ATTORNEYS AT LAW
110 North Main Street
Nicholasville, Kentucky 40356
(859) 887-1200 FAX: (859) 885-2307

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TO: Beth O'Donnell DATE: 9-21-06

FAX #: 502-504-3460 PAGES: 4 (including cover)

FROM: Bruce Smith OUR CLIENT: JSEWS

SUBJECT: Case No. 2005-00544 Informal Conference
Memorandum Comment

COMMENTS:

Should you experience any difficulties,
Please call (859) 887-1200

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LAW OFFICES
MOYNAHAN, IRVIN & SMITH, P.S.C.
110 NORTH MAIN STREET
NICHOLASVILLE, KENTUCKY 40356
(859) 887-1200
FAX (859) 885-2307

BRUCE E. SMITH
bsmith@mislaw.com

September 20, 2006

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SEP 21 2006

PUBLIC SERVICE
COMMISSION

VIA FACSIMILE: (502) 564-3460
AND FIRST CLASS MAIL

Ms. Beth O'Donnell
Executive Director
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

Re: Case No. 2005-00544
Informal Conference Memorandum Comment

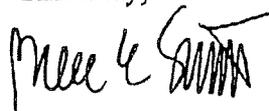
Dear Ms. O'Donnell:

As you will recall, the event which precipitated the above referenced dispute was the termination of the Complainants' water service by the City of Nicholasville based on their failure to pay their water bill and to repair their service line. Although no tangible proof was offered at the Informal Conference, it was disclosed by my client at that time that the bill in arrears had already been paid by a third party.

Upon further investigation after the Informal Conference, my client discovered that not only had the bill been paid, but the service line has been repaired and the water service was restored to the property by the City of Nicholasville on June 16, 2006. Enclosed is an e-mail from the City of Nicholasville's Director of Utilities, Tom Calkins, which verifies the foregoing information and a repair bill which Mr. Calkins had in his file verifying the extent and cost of the repairs to the service line.

This new information further supports my client's refusal to provide service to the Complainants and it appears that it obviates the need for the Commission to proceed further.

Sincerely,


Bruce E. Smith

Enclosure
CC: David S. Sanford, Esq.

Bruce E. Smith

From: Tom Calkins [tom_calkins@nicholasville.org]
Sent: Tuesday, September 05, 2006 4:40 PM
To: Bruce E. Smith
Subject: Lowry et al

Bruce:

The arrearages on the Lowry account were paid on 10/24/05....Service was reinstated on June 16, 2006 following the repair of leaks on their service line.....(See attached).....

Let me know if you have any Q's.....

Thomas P. Calkins
Director of Public Utilities
City of Nicholasville
859-885-1121 (V)
859-881-0750 (F)

DUNAWAY PLUMBING
 165 HANDYS BEND ROAD
 WILMORE, KY. 40390
 (859)-887-2353 (859)-887-3135

Invoice

DATE	INVOICE NO.
6/17/2006	7089

BILL TO
 AILENE LOWRY
 110 EDGEWOOD PLAZA
 NICHOLASVILLE, KY 40356
 C/O PRESS VEAL

JOB LOCATION
 REPAIRED WATER LEAKS IN SERVICE LINE
 INSTALLED PRESSURE REDUCING VALVE

DESCRIPTION	QTY	RATE	TERMS
			Due on receipt
			AMOUNT
1" CTS X 1" IPS BRASS ADAPT	2	48.27	96.54
ZURN-WILKINS PRESSURE REDUCING VALVE	1	66.39	66.39
3/4 X 6 BRASS NIPPLE	1	9.95	9.95
3/4 CTS X 3/4 IPM ADPT	2	15.79	31.58
1 CTS SS INSERT	2	2.98	5.96
3/4 CAP	1	2.45	2.45
SS CLAMP	1	1.68	1.68
1" CTS 200 PSI PLASTIC PIPE	10	0.92	9.20
1 X LONG RP COUPLING	2	12.19	24.38
1 X 3/4 ELL	1	4.62	4.62
3/4 X 1/2 BUSHING	1	3.12	3.12
1/2 GALV PIPE	2	2.59	5.18
1/2 COUPLING	1	2.43	2.43
1/2 BOILER DRAIN	1	6.26	6.26
FLUIDMASTER SEAL	1	3.19	3.19
1 X 4 NIPPLE	1	2.86	2.86
1 X 3/4 REDUCER	1	4.59	4.59
3/4" SOFT COPPER	3	5.59	16.77
1" BLACK PIPE	2	2.66	5.32
HOURS OF LABOR	18	70.00	1,260.00

*PAST DUE
 AS OF SEPT. 5, 2006*

TOTAL DUE 1,562.47

ATTN: Tom CAULKINS